

**OPEN SPACE ADVISORY COMMITTEE**

**March 22, 2004**

**7:30 p.m.**

**1. ROLL CALL**

The meeting was called to order at 7:40 p.m. Those present were Vice-Chairperson George Greb, and Committee members Joshua Feingold, Linda Greck, Casey Lee, Christina Pellicane, Joyce Steward and Toni Webb. Also in attendance were Urban Forester, Mike Orfanedes, Development Services Director, Mark Kutney, and Planning and Zoning Manager, Fernando Leiva.

**2. ELECTION OF CHAIR**

Vice-Chairperson Greb made a motion, seconded by Toni Webb, to nominate Joyce Steward for Chairperson. In a voice vote, all voted in favor. (Motion passed 7-0)

**3. ELECTION OF VICE-CHAIR**

Toni Webb made a motion, seconded by Joyce Steward, to nominate George Greb as Vice-Chairperson. In a voice vote, all voted in favor (Motion passed 7-0)

**4. APPROVAL OF MINUTES – January 26, 2004**

Ms. Greck requested correction to two items on the January 26, 2004 Minutes. The Committee agreed to re-approve the Minutes at the next Board meeting.

**5. OLD BUSINESS**

**5.1 Update on Equestrian Trail Improvements**

Mr. Orfanedes advised that he had been working with Bruce Bernard on a collaborative project involving the installation of oak trees along the Shotgun Road Equestrian Trail. Unfortunately, the next batch of trees to be planted were recently (and inadvertently) destroyed at Continental Citrus nursery by GL Homes landclearing operations. Mr. Orfanedes also stated the trees had not been root pruned and that the mist system at the nursery was no longer function, hence the trees were not being prepared adequately prior to planting. He stated that despite this unfortunate development, the Town may actually have avoided a lot of work and expense for what could have been a poor outcome. He advised that no more trees would be installed in the near future, until the Town collected more funding for landscaping. Ms. Webb asked if GL Homes had any liability which required that they replace the trees. Mr. Orfanedes indicated that some expenses had to be remunerated to Elan Lawn Service.

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Ms. Lee recommended that the Town do more to beautify the trail and improve the trail conditions on Shotgun Rd. . She felt that the current conditions were unsafe for horses. Mr. Orfanedes concurred and advised that this request had already been communicated to GL. The trail is also slated for grading and will be toppedressed with either sod or mulch. Dr. Feingold asked when was the best time to plant those trees. Mr. Orfanedes advised that the trees had a better outcome if planted in the rainy season. He further advised that some trees would likely need to be replaced in 6 months. Ms. Lee asked if GL Homes was responsible for replacing any trees that did not survive. Mr. Orfanedes responded in the affirmative. Ms. Lee further asked if the Town was aware of the 6-month time frame. Mr. Orfanedes indicated yes.

Mr. Orfanedes advised that he was unable to find a “treacherous location along the trail”, mentioned by Ms. Webb at the last meeting. Ms. Webb advised that it was the portion of the trail opposite 148<sup>th</sup> Avenue. Mr. Orfanedes asked if Ms. Webb could tie an orange piece of flagging tape near the spot. Ms. Webb advised that there was a house for sale on the southwest corner of the fence where the problem area was.

### **5.2 Wetland Mitigation**

Mr. Orfanedes advised that the Town had been working on developing a Master Plan for wetland mitigation. He referred the Committee members to the “Agreement for Mitigation” document, which will provide applicants with guidelines and requirements for the planning, installation and follow-up maintenance of wetland mitigation areas in the Town of Davie. He advised that the Town was presently working on a contractual agreement with Home Dynamics Corporation.

Mr. Leiva advised the Committee that a few months earlier, Home Dynamics expressed interest in mitigating at several locations, including Robbins Lodge. He advised that after deliberations, Robbins Lodge would not be available as a mitigation site, and that Home Dynamics was currently considering mitigating the Van Kirk site. He referred the Committee members to a draft agreement, which is still under development. Vice Chairperson Greb asked how big the mitigation area would be. Mr. Leiva stated that Home Dynamics would mitigate about 68-70 acres total, and that of those acres, 17 acres of wetland would be on site. He further advised that the remaining mitigation would be done at the Van Kirk site. Vice Chairperson Greb asked how large the Van Kirk site would be. Mr. Leiva advised that Home Dynamics would mitigate about 50-53 acres there. Vice-Chairperson Greb advised that a unified plan would be needed to provide for consistency if different parties were doing mitigation work on the same site. Mr. Kutney indicated that the Town Engineer, Larry Peters had already passed this suggestion on to the Town. Vice Chairperson Greb felt that the Town should take the lead in overseeing mitigation work so that we get a consistent and uniform product.

Chairperson Steward asked if there was still a possibility of having a banking arrangement whereby the financial contribution would be made by the developer. Mr. Leiva

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indicated yes, and pointed out that the language in the contract referred to the contractor as responsible for specific monitoring and maintenance for a period of about 7 to 9 years. Ms. Lee indicated she would like to see a professional from the Public Works department overseeing maintenance at the point when the Town took it over. Chairperson Steward asked if there was any bonding provision in the contract. Mr. Leiva responded in the affirmative. Ms. Lee asked if the Committee members could have a copy of the contract e-mailed to them. Mr. Kutney responded yes. Mr. Orfanedes indicated that Chris Kovanes would have a draft of the master plan prepared by mid-April. Ms. Greck asked how this and future contracts would interact with the master plan. Mr. Leiva indicated that the Town was going to work on developing boilerplate criteria for mitigating offsite wetlands, which would be reflected in the next document.

Chairperson Steward asked if there was a list of priorities regarding where mitigation work was scheduled to be done. Mr. Leiva indicated that he was not aware of any specific order thus far. Ms. Webb asked why an applicant would have to hire their own independent contractor to do the work. She felt the Town would have more control over the process by doing the actual hiring, and letting the applicant needing to do the mitigating pay the price. Mr. Leiva indicated that he would take this suggestion to the Town. Dr. Pellicane felt the language of the contract was worded in such a way as to keep the Town from being financially responsible to those parties doing the work. She felt there should be a way to write the contract to accomplish this, while ensuring that the developer remained responsible for payment. Ms. Lee asked if the Town Attorney's Office was reviewing the contract. Mr. Leiva responded in the affirmative, and advised that the document protected the Town, the contractor and the residents. Ms. Webb asked if site plan approval was needed to conduct mitigation work. Mr. Leiva indicated yes. Dr. Feingold stated that whatever procedure was implemented, it had to be such that the developer could get the work done in a reasonable timeframe. He felt that control was necessary, but should not impede progress. Vice-Chairperson Greb concurred and stated that if the process was made too cumbersome, the developer could simply choose to mitigate elsewhere in South Florida. Ms. Lee asked that no mitigation work be done on the property (Van Kirk) until a Master Plan for wetland mitigation is complete. Mr. Orfanedes indicated that he would do whatever he could within the context of his responsibilities, to further progress on finalizing the agreement.

### **Open Space Committee Web Page, Town of Davie**

Mr. Kutney advised that he had met with website designer, Randy Perry, after the last Board meeting. He indicated that Development Services would have to take all relevant information provided, and put it into the appropriate format for a web page. He stated that he, Mr. Orfanedes, Mr. Leiva and staff would put the information in a user-friendly format. Ms. Greck suggested that the printer of the documents probably had an appropriate format that could accomplish this. Mr. Kutney advised that he would check with Vice-Mayor Paul regarding the inclusion of historical information pertaining to open space on the website. Ms. Greck indicated she was still willing to participate in this part of the process.

### 5.3 Update on EAR

Mr. Leiva advised that 6 public workshops had been held throughout the Town, and announced that a workshop on the EAR would be held with the Town Council on April 2, 2004. He indicated that housing affordability was one issue identified which required consideration. He advised that 50% of the Town's population was at or below the Town's median income of \$51,000. Vice-Chairperson Greb asked if the median income for the Town was lower than that of the county. Mr. Leiva advised that the Town's median income was slightly higher than the county's. Vice-Chairperson Greb stated that the Town had more affordable housing, including mobile home communities, than many other municipalities. Mr. Kutney indicated that 25% of the Town's housing was mobile homes. He felt the Town did not meet its affordable housing needs by virtue of the quantity of mobile homes Davie presently has. Vice-Chairperson Greb disagreed. Mr. Leiva briefly outlined other issues identified that would guide the Comprehensive Plan, including:

- Transportation issues (e.g. traffic, pedestrian mobility, East-West connectivity, and safety);
- Redevelopment, economic development, and the potential expansion of the Regional Activity Center (RAC);
- Protection of the Town's character, open space, greenery, trails;
- Infrastructure challenges, including drainage and water conservation and supply;
- Overcrowding of schools;

Mr. Leiva indicated that staff was close to completing a number of Issue Papers pertaining to the above-mentioned items. Ultimately, these will need to be approved by the Town and then forwarded to [DCA](#) in Tallahassee. Mr. Kutney invited the Committee members to attend the April 2, 2004 workshop to provide their input. Chairperson Steward spoke of the Committee's responsibility to ensure that trail systems be identified and included in the Comprehensive Plan. She stated that several properties needed to be recorded and maintained. Mr. Leiva advised that a consultant was mapping and surveying all right-of-ways in the Town, and that this work would be completed within a year.

With regard to the Comprehensive Plan, Vice Chairperson Greb cautioned the Board members not be fooled about affordable housing. He further advised that the Town had 1,749 acres of open space, which was more than many other municipalities presently have. He asked that staff not give up on the philosophy of Davie simply on the promise of a small area of open space. Ms. Webb concurred and indicated that she saw no need for more affordable housing as she felt this was not consistent with the Town's goal of maintaining its rural identity. Ms. Lee indicated that she had been looking for a home and could not find one for under \$500,000. Ms. Greck indicated that homes did exist for under this amount. The Board members held a general discussion on current home pricing in the Town.

Mr. Kutney stated that he felt there was a misconception about affordable housing—that it should not be viewed in the limited context of an ugly housing project. He

indicated that Town residents and/or staff members spending more than 45% of their income on housing is not affordable. Dr. Feingold asked how the Town's housing affordability compared to other municipalities. Mr. Leiva indicated that he could not respond with regard to other cities, but advised that staff would be comparing the Town numbers with unincorporated Broward County. Ms. Greck felt that if staff only looked at housing [starts](#), it would not present a balanced review. Mr. Leiva indicated that the numbers being reviewed in the EAR included existing and new housing. He voiced concern about this issue, and felt that until people got past their preconceived notions about affordable housing, it would not be possible to formulate sound good policy for the nation. Dr. Pellicane mentioned that expansion of the Regional Activity Center (RAC) could generate more funds for the Town's tax base. Mr. Leiva provided background on the RAC, and stated that expansion was one logical way to accommodate growth while still preserving low density in other areas of Town. The Board members and staff further discussed general issues related to density.

#### **5.4 Review and Input of Open Space Element Comprehensive Plan by Board Members**

Mr. Kutney requested that the Committee review the Open Space element of the Comprehensive Plan and provide a critique that could be documented for staff. Chairperson Steward suggested that the issues could be reviewed and comments could be provided by the next meeting. Ms. Greck felt that the document was missing information reflecting the difference between what existed in the EAR at the time of the survey, and what existed in the Town now. Mr. Leiva concurred and reasserted that the Town needed to map out all existing trails and systems. He advised that staff would take the Board members' comments and try to implement their recommendations. He spoke of challenges the Town faced relative to protecting parks, natural landscaping and tree abuse issues. He stated that the Town was not in a position to monitor or respond to residential tree abuse. He felt the Board could come up with recommendations that would allow staff to better handle these issues. Another issue he spoke of was the creation and implementation of the Land Preservation Trust which the Town was in the process of developing. He requested that the Board members come up with recommendations that would help staff shape policy.

Dr. Feingold asked how the Town could advise residents about proper tree trimming in a way that was user-friendly. Dr. Pellicane stated that many residents simply did not know how to safely trim trees. She felt a lot of problems resulted from simple naiveté on the part of residents. Mr. Orfanedes indicated that the Town had signed on to Broward County's Tree Preservation and Abuse Ordinance. He advised that the Town was therefore required to uphold the Broward County code, which made hat-racking a citable offense. He stated that staff have had difficulty keeping up with the backlog of landscape/tree abuse violations. He advised that staff's current responsibilities for landscape plan review, inspections, tree removal/mitigation permits and outreach leaves insufficient time for the multitude of code enforcement cases. Chairperson Steward felt more time and effort should be put into informing the public about the Town's tree policy. Ms. Lee made a recommendation that Mr. Orfanedes continue educating residents about proper tree trimming in *The Davie Update*. Dr.

Pellicane suggested including information on how to get rid of invasive species. Mr. Leiva asked that the Board members come up with specific policies that would guide public outreach and also recommend ways to fund these activities. He advised that staff would need the Board's input and comments on the EAR by the May, 2004 meeting.

Ms. Webb asked about the status of Westview Park. Mr. Kutney advised that the Town would cash the \$50,000 bond and make the necessary improvements itself. The Board members held a general discussion regarding the usage of the funds for improvements to the park.

## **6. NEW BUSINESS**

### **6.1 Staff Presentation on Flamingo Road Corridor Study**

Mr. Kutney requested that the Board postpone this item, as staff member Marcie Nolan was not present.

### **6.2 Landscape Unit Overview of Responsibilities**

Mr. Orfanedes referred the Board to a Landscape Unit Overview and requested that members review it at their convenience. He advised that the Town had put in a proposal to the [Water Conservation Fund Program](#) for a \$106,000 matching grant to be used to upgrade the park at the west end of [Berman's Preserve](#). He indicated that the proposed amenities included a 1,500 linear foot recreational trail, a picnic shelter, a playground, a basketball court, and a multi-use area.

### **6.3 Formation of Subcommittees**

Mr. Orfanedes asked the Board to consider formation of subcommittees. Ms. Webb indicated that according to the state, elected members of an advisory board could not meet separately. Vice Chairperson Greb advised that the Board could have a subcommittee, but would need votes, and announcements, etc. Dr. Pellicane stated she liked the broad range of viewpoints presented at the general Board meeting. However, she felt that meeting every other month interfered with the continuity and effectiveness of the Board. Chairperson Steward recommended having one member act as liaison with a staff member to keep up to date on evolving issues.

## **7. COMMENTS AND/OR SUGGESTIONS**

Ms. Webb asked Dr. Pellicane if the roosting birds in the tree on 130<sup>th</sup> St. near the entrance to Long Key Park were gone forever. Dr. Pellicane indicated there was also a roosting spot on Palm and Taft.

## **8. ADJOURNMENT**

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There being no further business to discuss, Dr. Pellicane made a motion, seconded by Linda Greck, to adjourn the meeting at 10:45 p.m. In a voice vote, all voted in favor. (Motion carried 7-0)

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Approved

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Chairperson/Committee Member